



General Assembly

January Session, 2015

***Raised Bill No. 6764***

LCO No. 3155



Referred to Committee on HUMAN SERVICES

Introduced by:  
(HS)

***AN ACT CONCERNING INCOME WITHHOLDING FOR CHILD SUPPORT.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 3-119 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *January 1, 2016*):

4 (a) The Comptroller shall pay all salaries and wages not less than  
5 ten calendar days or more than fifteen calendar days after the close of  
6 the payroll period in which the services were rendered, except as  
7 provided in subsections (b) and (c) of this section, but shall draw no  
8 order in payment for any service of which the payroll officer of the  
9 state has official knowledge without the signed statement of the latter  
10 that all employees listed on the payroll of each agency have been duly  
11 appointed to authorized positions and have rendered the services for  
12 which payment is to be made. The Comptroller is authorized to  
13 develop, install and operate a comprehensive fully documented  
14 electronic system for effective personnel data, for payment of  
15 compensation to all state employees and officers and for maintenance

16 of a chronological and permanent record of compensation paid to each  
17 employee and officer for the state employees retirement system and  
18 other purposes. Such electronic system shall also facilitate the  
19 electronic processing of an income withholding order entered by a  
20 state or federal court, including any such order transmitted to the  
21 Comptroller by means of the federal electronic income withholding  
22 order process and issued pursuant to section 52-362, as amended by  
23 this act. The Comptroller is authorized to establish an accounting  
24 procedure to implement this section.

25 Sec. 2. Subsection (h) of section 31-227 of the general statutes is  
26 repealed and the following is substituted in lieu thereof (*Effective*  
27 *January 1, 2016*):

28 (h) (1) An individual filing an initial claim for unemployment  
29 compensation shall, at the time of filing such claim, disclose whether  
30 or not the individual owes child support obligations as defined under  
31 subdivision (6) of this subsection. If any such individual discloses that  
32 he or she owes child support obligations and has been determined to  
33 be eligible for unemployment compensation, the administrator shall  
34 notify the state or local child support enforcement agency enforcing  
35 such obligation that the individual is eligible for unemployment  
36 compensation.

37 (2) The administrator shall deduct and withhold from any  
38 unemployment compensation payable to an individual who owes  
39 child support obligations (A) the amount specified by the individual to  
40 the administrator to be deducted and withheld under this subsection,  
41 if neither subparagraph (B) nor (C) is applicable, or (B) the amount  
42 determined pursuant to an agreement submitted to the administrator  
43 under Section 654(20)(B)(i) of the Social Security Act by the state or  
44 local child support enforcement agency, unless subparagraph (C) is  
45 applicable, or (C) any amount otherwise required to be so deducted  
46 and withheld from such unemployment compensation pursuant to  
47 legal process, as defined in Section 662(e) of the Social Security Act,

48 properly served upon the administrator. For purposes of this  
49 subdivision, legal process shall be deemed properly served upon the  
50 administrator if such legal process is transmitted to the administrator  
51 by means of the federal electronic income withholding order process.

52 (3) Any amount deducted and withheld under subdivision (2) of  
53 this subsection shall be paid by the administrator to the appropriate  
54 state or local child support enforcement agency.

55 (4) Any amount deducted and withheld under subdivision (2) of  
56 this subsection shall for all purposes be treated as if it were paid to the  
57 individual as unemployment compensation and paid by such  
58 individual to the state or local child support enforcement agency in  
59 satisfaction of the individual's child support obligations.

60 (5) This subsection shall be applicable only if appropriate  
61 arrangements have been made for reimbursement by the state or local  
62 child support enforcement agency for the administrative costs incurred  
63 by the administrator under this subsection which are attributable to  
64 child support obligations being enforced by such state or local child  
65 support enforcement agency.

66 (6) For purposes of this subsection, the term "unemployment  
67 compensation" means any compensation payable under this chapter,  
68 including amounts payable by the administrator pursuant to an  
69 agreement under any federal law providing for compensation,  
70 assistance, or allowances with respect to unemployment; "child  
71 support obligations" includes only obligations which are being  
72 enforced pursuant to a plan described in Section 654 of the Social  
73 Security Act which has been approved by the Secretary of Health and  
74 Human Services under Part D of Title IV of the Social Security Act; and  
75 "state or local child support enforcement agency" means any agency of  
76 this state or a political subdivision thereof operating pursuant to a plan  
77 described in Section 654 of the Social Security Act which has been  
78 approved by the Secretary of Health and Human Services under Part D

79 of Title IV of the Social Security Act.

80 Sec. 3. Subsection (k) of section 52-362 of the general statutes is  
81 repealed and the following is substituted in lieu thereof (*Effective*  
82 *January 1, 2016*):

83 (k) The employer shall notify promptly the dependent or Support  
84 Enforcement Services as directed when the obligor terminates  
85 employment, makes a claim for workers' compensation benefits or  
86 makes a claim for unemployment compensation benefits and shall  
87 provide the obligor's last-known address and the name and address of  
88 the obligor's new employer, if known. When the obligor makes a claim  
89 for workers' compensation benefits, the employer shall include a copy  
90 of any order for withholding received for the obligor with the  
91 employer's first report of occupational illness or injury to the  
92 employer's workers' compensation insurance carrier, and such carrier  
93 shall withhold funds pursuant to the withholding order and pay any  
94 sums withheld as required by subsection (f) of this section. Such  
95 insurance carrier shall be subject to the same remedies for failure to  
96 withhold or pay withheld sums as provided for an employer or other  
97 payer of income under subsection (f) of this section.

98 Sec. 4. Section 52-362i of the general statutes is repealed and the  
99 following is substituted in lieu thereof (*Effective January 1, 2016*):

100 If the court or family support magistrate finds that (1) an obligor is  
101 delinquent on payment of child support, or an employer or other  
102 payer of income failed to withhold from income due an obligor  
103 pursuant to an order for withholding or failed to pay withheld sums as  
104 required pursuant to subsection (f) of section 52-362, and (2) future  
105 support payments are in jeopardy, or (3) the obligor, employer or other  
106 payer of income has exhibited or expressed an intention not to pay any  
107 such support, the court or family support magistrate may order the  
108 obligor, employer or other payer of income to provide a cash deposit  
109 not to exceed the amount of four times the current monthly support

110 and arrearage obligation, to be held in escrow by the Bureau of Child  
111 Support Enforcement or Support Enforcement Services. Any funds  
112 from such cash deposit may be disbursed by the Bureau of Child  
113 Support Enforcement or Support Enforcement Services to the custodial  
114 parent upon a determination by said bureau or Support Enforcement  
115 Services that the obligor, employer or other payer of income has failed  
116 to pay the full amount of the monthly support obligation. Payment  
117 shall be in an amount that, when combined with the obligor's  
118 payment, would not exceed the monthly support obligation. Payment  
119 from such cash deposit shall not preclude a finding of delinquency  
120 during the period of time in which the obligor failed to pay current  
121 support.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2016</i>	3-119(a)
Sec. 2	<i>January 1, 2016</i>	31-227(h)
Sec. 3	<i>January 1, 2016</i>	52-362(k)
Sec. 4	<i>January 1, 2016</i>	52-362i

Section 1	<i>January 1, 2016</i>	3-119(a)
Sec. 2	<i>January 1, 2016</i>	31-227(h)
Sec. 3	<i>January 1, 2016</i>	52-362(k)
Sec. 4	<i>January 1, 2016</i>	52-362i

***Statement of Purpose:***

To facilitate child support payments to families.

***[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]***